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February 23, 2022

By Electronic Case Filing

Honorable Marcia M. Henry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Gesualdi, et al. v. Rizzo Associates, Inc.*  
Case No. 1:21-cv-01833-AMD-MMH

Dear Judge Henry:

We represent the Trustees of the Local 282 Trust Funds (the “Funds”), Plaintiffs in the above-referenced action.

We write, with the consent of defense counsel to advise that discovery has been completed. We also write that barring settlement, the Funds will file a motion for summary judgment. We ask for a May 1, 2022 deadline to file a pre-motion conference letter, plus Rule 56.1 Statement and Counterstatement, in accord with Judge Donnelly’s Individual Practice Rules. We ask for the May 1 deadline to allow for settlement discussions leading up to the Funds’ Trustees’ March 22, 2022 meeting, at which time we anticipate the Trustees will consider a proposed settlement. If settlement is not then reached, the additional month plus will allow the parties to draft and exchange the Rule 56.1 Statement and Counterstatement.

We thank the Court for its consideration of this matter.

Respectfully submitted,

*Michael S. Adler*

Michael S. Adler

cc via ECF:

Suzanne M. Ziskin, Esq.